

Amnesty International Annual Report 2011 - Albania

Head of state: **Bamir Topi**

Head of government: **Sali Berisha**

Death penalty: **abolitionist for all crimes**

Population: **3.2 million**

Life expectancy: **76.9 years**

Under-5 mortality (m/f): **18/17 per 1,000**

Adult literacy: **99 per cent**

Domestic violence remained widespread and the trafficking of women and young girls for forced prostitution continued. There were some allegations of ill-treatment by police. Detention conditions in police stations were often very poor, but the conditions and treatment of remand and convicted prisoners improved. Homeless people with "orphan status" were denied their right under domestic law to priority with housing.

Background

The political stalemate following the contested June 2009 national elections continued. Although the main opposition party, the Socialist Party, ended its boycott of parliament in May, it frequently withdrew from parliament in protest. Legislative work was delayed, including electoral reform. Adopted legislation included an anti-discrimination law and a law protecting children's rights. Politicians accused each other of corruption; investigations were opened into some of these allegations. Public confidence in the judiciary remained low. In November, the European Commission concluded that Albania had not fulfilled the criteria for candidate status for EU membership, and urged further reforms.

Violence against women and children

Domestic violence was widespread, but there was progress in countering it, both through legislation and in practice. Although domestic violence was still under-reported, reported incidents increased to 1,423 in the first nine months of the year, 433 more than for the same period in 2009. Domestic violence was not a specific criminal offence and, except in cases of serious injury or death, was only prosecuted on the victim's request. Victims increasingly sought protection through civil proceedings, although most later withdrew because of economic and social pressures and the lack of free legal aid available to them. As a result, courts issued comparatively few protection orders. For example, during the year Tirana District Court received 538 petitions from victims, the majority women, but issued only 129 protection orders.

The government initiated monitoring of incidents of domestic violence to assist policy-making. Health workers were trained in the identification and treatment of victims of domestic violence. In September, parliament adopted amendments to the 2006 law "On measures against violence in family relations". These provided for the establishment of a shelter for victims of domestic violence, mechanisms for co-ordinating responses to domestic violence referrals, and free legal aid for petitioners for protection orders, with court expenses to be paid by the perpetrators.

Trafficking in human beings

Trafficking of human beings, primarily young women and girls for forced prostitution, continued.

- In May, Kristaq Prifti and Roland Kuro were arrested on a charge of trafficking a 14-year-old girl to Greece, where they allegedly forced her to work as a prostitute for five years.

In June, the US State Department Trafficking in Persons Report acknowledged the Albanian authorities' efforts to counter trafficking, but urged that assets seized from convicted traffickers be used to fund victim protection and integration; it also called for improved identification and protection for trafficked child victims and for rigorous prosecution of law enforcement officials complicit in human trafficking.

Enforced disappearances

- The fate of Remzi Hoxha, an ethnic Albanian from Macedonia who disappeared in 1995, remained unknown, although the trial continued in Tirana of former officers of the National Intelligence Service. Ilir Kumbaro, Arben Sefgjini and Avni Koldashi were charged with the abduction and "torture with serious consequences" of three men, including Remzi Hoxha. Ilir Kumbaro was tried in his absence. He had been arrested in the UK in 2008, but in December 2009 was released after his appeal against extradition was upheld by a UK court on the grounds that his arrest warrant was no longer valid. In August 2010 he was rearrested in London on the basis of a new warrant, but was released on bail a week later.

Counter-terror and security

In February, three detainees from Egypt, Tunisia and Libya were transferred from US detention in Guantánamo Bay to Albania. Since 2006, Albania has accepted 11 former Guantánamo Bay prisoners who could not be repatriated to their home countries for fear of persecution.

Justice system

In November, the Council of Europe's Parliamentary Assembly criticized the Albanian authorities' decision to extradite Almir Rrapo, a dual US/Albanian national, to the USA on charges including murder. The decision ignored a binding interim measure by the European Court of Human Rights suspending his extradition. Tirana Appeal Court had ruled in favour of his extradition without a durable guarantee by the competent US authority that he would not face the death penalty. Following his extradition, the Albanian High Court overturned the Appeal Court's decision.

Torture and other ill-treatment

Charges of torture continued to be brought very rarely, except where incidents of ill-treatment by police resulted in serious injury or death; police officers were generally prosecuted for the lesser offence of "arbitrary acts", usually punished by a fine.

- In April, on the recommendation of the Ombudsperson, an investigation was begun against two police officers in Tirana suspected of torture. They were accused of having severely beaten three young men during and after their arrest in 2009. On completion of the investigation in December, the two police officers were charged with "arbitrary acts".

- In October, Tirana District Court found police officer Vlash Ashiku guilty of having, while on duty, punched Tomor Shehu around the face and head in 2008. He was convicted of "arbitrary acts" and sentenced to a small fine (US\$15).

The European Committee for the Prevention of Torture visited Albania in May to review measures taken to implement its previous recommendations.

Detention conditions

Despite renovation work in some police stations, detention conditions remained very poor in many others, and separate rooms for the detention of women and children were often lacking. There were some improvements in conditions of detention in prisons and remand centres: work began on the construction of two new remand centres, educational programmes were started in at least five prisons, and special sections for prisoners with mental illnesses or drug dependency were opened in six prisons.

Overcrowding was reduced by the release of about 1,000 prisoners on probation. However, considerable problems remained, often related to the dilapidated state of some prison buildings. In April, the Ombudsperson noted poor conditions in the women's section of remand prison 313 due to damp, poor heating and sanitation and infestations of vermin.

Right to adequate housing – orphans

Under Albanian law, registered orphans up to the age of 30 who are homeless are among the vulnerable groups to be prioritized when social housing is allocated. However, the law was not implemented and many, including young people raised in state care who were not eligible for orphan status, continued to live in dilapidated disused school dormitories or struggled to pay for low-grade private rented accommodation. The income criteria for eligibility for the main social housing programme, offering state-subsidized mortgages, were set too high for this group. A social housing project, assisted by a Council of Europe Development Bank loan, aiming to construct 1,100 apartments for rent by low-income families had not been completed by the end of the year.

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